



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/141,210	08/27/1998	PHILLIP E. MATTISON	042390.P4817	9610

7590

05/24/2002

BLAKELY SOKOLOFF TAYLOR & ZAFMAN  
124 WILSHIRE BOULEVARD  
SEVENTH FLOOR  
LOS ANGELES, CA 900251026

EXAMINER

KASSA, YOSEF

ART UNIT

PAPER NUMBER

2621

DATE MAILED: 05/24/2002

11

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/141,210

Applicant(s)

MATTISON, PHILLIP E.

Examiner

YOSEF KASSA

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 Jan. 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

***Response to Arguments***

1. In view of the supplemental appeal brief filed on Jan. 7, 2002, PROSECUTION IS HEREBY REOPENED. The new ground of rejection set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1-14, 16 and 19-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Wong et al (6,260,021).

With regard to claim 1, Wong, et al discloses associating first image data (corresponds to medical image data or report data) and the first method (which corresponds to the use of a uniform object-orient structure with medical image data), as part of an image object, i.e., the medical image associated with the uniform object orient structure is part of an image object (see col. 4, lines 5-10 and lines 19-20), for being executed by an abstract machine, i.e., interface engine, to obtain first translated image data based upon the first image (corresponds to obtaining medical image objects from interface engines for composing, i.e., translating, medical image objects for display by graphical interface system (see col. 4, lines 12-15). Additionally, at col. 8, lines 6-10, Wong, et al teaches a "client report object request transferred according to the protocol, the appropriate CRIE (interface engine) implementation translates it into an equivalent RI system request".

Claims 2 and 3 are rejected the same as claim 1. Thus, arguments analogous to that presented above for claim 1 is applicable to claims 2 and 3. Claims 2 and 3 distinguish from claim 1 only in that they recite a second image, second method and second image, and these features are taught by Wong, et al. For example, as to second object, this feature reads on plurality of medical images (col. 3, lines 60-62), and the second method is described in col. 3, lines 62 to col. 4, lines 1, where Wong teaches: "the distribution of the plurality of medical images to a plurality network attached client workstations, wherein each of the network attached client workstation is

Art Unit: 2621

configured with an object-oriented graphical interface for receiving medical image requests medical from a user." As to the second object, the association of the second image with the second method as described in the above passages does read on the second object.

With regard to claim 4, the first translated data is in the same format as the first data (correspond to the original medical image data and the translated medical image data is the same image data except the method used for retrieving the image data is different among clients col. 7, lines 42-51).

Claim 5 is rejected the same as claim 1. Thus, arguments analogous to that presented above for claim 1 are applicable to claim 5. Claim 5 distinguishes from claim 1 only in that it recites second image, second method and second object and these features are indeed taught by Wong, et al. For example, as to the second object, this feature does read on a plurality of medical images (See col. 3, lines 60-62), and as to the second method, this feature is described in col. 3, lines 62 to col. 4, lines 1, where Wong teaches: "distribution of the plurality of medical images to a plurality network attached client workstations, wherein each of the network attached client workstation is configured with an object-oriented graphical interface for receiving medical image requests medical from a user." As to the second object, the association of the second image with the second method as described in the above passages of Wong does read on the claimed feature second object.

Claim 7 is rejected the same as claim 1. Thus, arguments analogous to that

presented above for claim 1 are applicable to claim 7. As to the limitation of transferring an image object (which corresponds to an image server), the image server shown at 12, in Figure 1 of Wong is used to receive or transfer an image object to the various clients.

Claims 8 and 9 are rejected the same as claims 2 and 3. Thus, arguments analogous to that presented above for claims 2 and 3 are applicable to claims 8 and 9.

Claim 10 is rejected the same as claim 1. Thus, arguments analogous to that presented above for claim 1 are applicable to claim 10. As to the limitation of an image sensor, i.e., X-ray, MRI, etc., for generating sensor data (the medical images in Wong, are generated by diverse imaging technologies, such as X-ray, MRI (See col. 1, lines 23-31) and these medical images are converted to electronic image by using image sensors.

Claim 20 is rejected the same as claim 1. Thus, arguments analogous to that presented above for claim 1 are applicable to claim 20. As to a memory coupled to the processor (See the computer system shown Figure 1).

Claims 6, 19 and 21 is rejected the same as claim 4. Thus, arguments analogous to that presented above for claim 4 are applicable to claims 6, 19 and 21.

With regard to claim 11, the first image data is the sensor data (col. 1, lines 23-28).

With regard to claim 12, second memory having instructions that when executed by the processor cause processing the sensor data into the first image data (col. 7, lines 2-10).

Claim 13 is rejected the same as claim 12. Thus, arguments analogous to that presented above for claim 12 are applicable to claim 13.

With regard to claim 14, logic circuitry, i.e., computer systems, for processing the sensor data into the first image data (correspond to medical image converted into digital form for storage col. 1, lines 28-38).

With regard to claim 16, interface to a communication medium for transferring the first image data and the first method to a processing system separate from the imaging device (fig. 1, item 24 and 32), the processing system being configured with said abstract machine (fig. 1 item 24, 32, 18 and 26).

With regard to claims 17 and 18, the Examiner takes Official Notice because the image object for including common file formats, such as TIFF and DIB is extremely well known as evidenced by Applicants own disclosure (See Specification, page 2, line 5; and page 8, lines 16-18). Therefore it would have been obvious to one having ordinary skill in the art to incorporate an extremely well known file formats into the system of Wong, et al for storing bit-mapped images on PC's and Macintosh computers.

***Claim Rejections - 35 USC § 103***

3. Claim 15, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wong et al (6,260,021) in view of Grantham et al (6,215,495).

With regard to claim 15, the logic circuitry performs a color interpolation algorithm on the sensor data (col. 20, lines 33-38 of Grantham et al).

Wong, et al does not explicitly call for a color interpolation process. However, this feature is taught by Grantham et al (See Fig. 9, item 902). Wong, et al Grantham, et al are combinable because they are from a similar field of endeavor, that is, object orient environments. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Grantham, et al with Wong, et al to provide an interpolator, and to do so would at least enhances the image data. Therefore, it would have been obvious to combine Grantham et al with Wong et al to obtain the invention as specified on above claim 15.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicants' disclosure. US Patent No. (5,778,378) to Rubin discloses object oriented information retrieval framework mechanism.

5. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to YOSEF KASSA whose telephone number is (703) 306 5918. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, LEO H BOUDREAU can be reached on (703) 305-4706. The fax phone numbers for the organization where this application or proceeding is assigned is (703) 872-9314 for regular communication and (703) 872-9314 for after Final communications.



Application/Control Number: 09/141,210  
Art Unit: 2621

Page 8

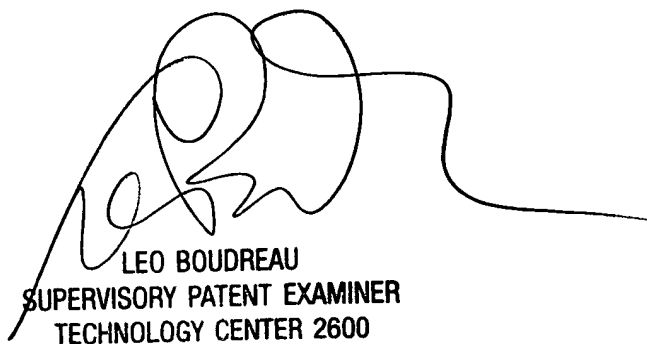
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service office whose telephone number is (703) 306-5631. The group receptionist number for TC 2600 is (703) 305-4700.

**PATENT EXAMINER**

Yosef Kassa

*Yosef Kassa*

05/04/02.



LEO BOUDREAU  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600